

USSN 09/869,987 Filed 08/22/2001
Response to Office Action dated 03/07/2006
Atty. Docket No. JHT-0002 (P1997J057D)

REMARKS

Double Patenting Rejection:

The Examiner has rejected claims 1-16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-24 of U.S. Patent No. 6,582,590, claims 1-8 of U.S. Patent No. 6,712,955, and claims 1-18 of U.S. Patent No. 6,755,963. Terminal Disclaimers in compliance with 37 C.F.R. 1.321(c) are attached hereto to overcome these rejections.

The Examiner's Rejection Under 35 USC § 103:

Claims 1-16 were rejected under 35 USC 103(a) as being unpatentable over EP 0203228 B1 or U.S. Patent 3,619,414 or U.S. Patent 5,841,013.

EP '672 ('228?) was cited as disclosing a process for hydrotreating hydrocarbon oils employing a catalyst system arranged in stacked bed comprising an upper zone containing up to 10%w of Group VIII metal compound and 3-15%w of Group VIB metal compound, and a lower zone containing up to 10%w of Group VIII metal components and from 3-30%w of Group VIB metal components. In both zones the catalyst comprises a nickel and a molybdenum and/or tungsten component. See page 3, lines 31-45, page 4, lines 31-47, and page 5, lines 8-18. The process conditions disclosed (page 6, Table 1) read upon the claimed process conditions.

Patent '414 was cited as disclosing a process for catalytic hydrofinishing of petroleum distillate in the presence of a catalyst comprising oxides of 4-16 wt% of molybdenum and a combination of 10-25 wt% of nickel and tungsten. The process conditions disclosed read upon the claimed process conditions. See Abstract; col. 2, lines